

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:11CV326-GCM

GREGORY CARTER, JOANNE)	
CARTER, WILLIAM WRIGHT,)	
)	
Plaintiffs,)	
)	
Vs.)	ORDER
)	
BANK OF AMERICA, N.A.,)	
)	
Defendant.)	
_____)	

This matter is before the Court upon the memorandum and recommendation of United States Magistrate Dennis L. Howell, filed August 28, 2013. The parties were advised that pursuant to 28 U.S.C. § 636(b)(1)(C), written objections to the memorandum and recommendation must be filed within 14 days after service of the memorandum. Defendant timely filed an objection, and Plaintiffs timely filed a response.

After an independent and thorough review of the magistrate's memorandum, Defendant's objections thereto, and Plaintiffs' responses to the objections, the Court concludes that the recommendation to grant in part and deny in part the Defendants' Motion to Dismiss is correct and in accordance with law. Accordingly, the findings and conclusions of the magistrate are accepted, and Defendants' Motion to Dismiss is GRANTED in part and DENIED in part.

IT IS THEREFORE ORDERED that the memorandum and recommendation of the
magistrate is hereby AFFIRMED.

Signed: January 9, 2014

A handwritten signature in cursive script, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

